

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

DEVIN BRANDIS PUGH,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:25-cv-27-MHT-JTA
)	
CLARKE COUNTY, ALABAMA,)	
)	
Defendant.)	

ORDER

On February 24 and 25, 2025, Plaintiff Devin Brandis Pugh, proceeding *pro se*, submitted seven documents to the Clerk of Court for filing.¹ None of these documents contains a caption as required under the Federal Rules of Civil Procedure. *See* Fed. R. Civ. P. 7(b)(2); Fed. R. Civ. P. 10(a). Thus, these documents also fail to comply with this court’s Local Rules. *See* M.D. Ala. L.R. 5.7. The court has explained these rules to Pugh and his responsibility to comply with these rules. *See Pugh v. South Central Mental Health Center, Luverne, Alabama*, Case No. 2:24-cv-836-ECM-JTA (Doc. No. 15); *Pugh v. Conecuh*

¹ The seven documents are described as follows: (1) document referencing an “amendment to South Central Mental Health”; (2) document referencing an “Objection to Magistrate Judge Recommendation”; (3) document referencing “conflict of interest disclosure”; (4) an apparent application to proceed *in forma pauperis* which lists “Smart Deals” as the defendant; (5) document requesting the issuance of summons for “all cases under my name”; (6) an apparent application to proceed *in forma pauperis* which lists “Crenshaw Community Hospital” as the defendant; and (7) “a motion for remote proceedings under Federal Rule 43(a)[.]” Only three of these documents were filed by the Clerk of Court, per the directive of the undersigned. Those documents were filed in this action because, despite omitting an appropriate caption, Pugh specifically indicated he intended them to be filed in this action. The remaining documents contained no such indication.

County, Alabama, Case No. 2:25-cv-14-RAH-JTA (Doc. No. 11); *Pugh v. Clarke County, Alabama*, Case No. 2:25-cv-27-MHT-JTA (Doc. No. 11); *Pugh v. Alphabet Inc.*, Case No. 2:25-cv-33-ECM-JTA (Doc. No. 13); *Pugh v. Department of Mental Health and Human Services*, Case No. 2:25-cv-53-RAH-JTA (Doc. No. 10). Considering the documents submitted by Pugh fail to comply with the Federal Rules of Civil Procedure and M.D. Ala. L.R. 5.7, it is ORDERED as follows:

1. The Clerk of Court shall NOT FILE the following documents in this case: (1) the document referencing an “amendment to South Central Mental Health”; (2) the apparent application to proceed *in forma pauperis* which lists “Smart Deals” as the defendant; (3) the apparent application to proceed *in forma pauperis* which lists “Crenshaw Community Hospital” as the defendant; and (4) the “motion for remote proceedings under Federal Rule 43(a)[.]”²
2. The Clerk of Court shall RETURN to Pugh all documents stamped received on February 24 and 25, 2025.

² The Advisory Committee Notes to the 1991 amendments to Rule 5 state:

Several local district rules have directed the office of the clerk to refuse to accept for filing papers not conforming to certain requirements of form imposed by local rules or practice. This is not a suitable role for the office of the clerk, and the practice exposes litigants to the hazards of time bars; for these reasons, such rules are proscribed by this revision. *The enforcement of these rules and of the local rules is a role for a judicial officer.* A clerk may of course advise a party or counsel that a particular instrument is not in proper form, and may be directed to so inform the court.

Fed. R. Civ. P. 5 (Advisory Committee Notes to the 1991 amendments) (emphasis added). Case captions and case numbers are matters of form. *See* Fed. R. Civ. P. 7(a)(2); Fed. R. Civ. P. 10(a). Accordingly, the court – not the Clerk of Court – is making the decision here that these documents should not be filed in this case.

Pugh is ADVISED that any document he submits which does not comply with the Federal Rules of Civil Procedure may not be considered by the court. *See* M.D. Ala. L.R. 5.7. Pugh is permitted to submit any of these documents for filing again so long as the documents are corrected to comply with the Federal Rules of Civil Procedure.

DONE this 4th day of March, 2025.



JERUSHA T. ADAMS
UNITED STATES MAGISTRATE JUDGE